

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
v.	§	CIVIL ACTION NO. 2:13-CV-00193
	§	
GREG ABBOTT, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**DEFENDANTS' UNOPPOSED MOTION TO FILE UNDER SEAL EXHIBITS 1 AND 2
TO SUBMISSION REGARDING VOTER EDUCATION PLAN
AND ELECTION OFFICIAL TRAINING PROGRAM**

Defendants file this Unopposed Motion to File Under Seal Exhibits 1 and 2 to Submission Regarding Voter Education Plan and Election Official Training Program.

In support of this Motion, Defendants would respectfully show the following:

1. Today, Defendants filed their Submission Regarding Voter Education Plan and Election Official Training Program ("Submission") pursuant to the Court's interim remedy order. *See* ECF No. 898.

2. Through this Motion, Defendants seek to file under seal two documents referenced as exhibits to the Submission. Exhibit 1 contains a chart identifying the local markets where the Secretary of State intends to purchase media spots for radio advertisements, television commercials, transit advertising, and digital out-of-home advertisements. Exhibit 2 contains a list of approximately 1,800 community groups and organizations to whom toolkits will be distributed.

3. Defendants request that Exhibit 1 be sealed because it contains confidential, proprietary information. The document was provided to Defendants by the Secretary of State's advertising firm and contains sensitive information reflecting research indicating where the State should purchase media spots to broadcast radio, television, transit, and digital out-of-home advertisements, along with the proposed dates for such advertisements.

4. Defendants request that Exhibit 2 be sealed because it contains proprietary information regarding the groups and organizations identified for distribution of toolkits.

5. During the meet-and-confer process regarding the voter education plan, the parties agreed to treat these documents as confidential and ensure they would be viewed by attorneys only.

6. The Court may seal court records if the interests favoring non-disclosure in a particular case outweigh the presumption in favor of the public's common-law right of access to judicial records. *See, e.g., Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597-98 (1978); *United States v. Amodeo*, 44 F.3d 141, 146-47 (2d Cir. 1995).

7. Defendants have conferred with Plaintiffs concerning the substance of this Motion, and Plaintiffs have confirmed that they do not oppose the relief requested herein.

8. For the foregoing reasons, Defendants respectfully request that the Court permit Defendants to file under seal Exhibits 1 and 2 to the Submission Regarding Voter Education Plan and Election Official Training Program.

Date: August 15, 2016

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant
Attorney General

JAMES E. DAVIS
Deputy Attorney General
for Litigation

/s/ Angela V. Colmenero
ANGELA V. COLMENERO
Chief, General Litigation Division

MATTHEW H. FREDERICK
Deputy Solicitor General

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC 059)
Austin, Texas 78711-2548
Tel.: (512) 936-6407
Fax: (512) 474-2697

Counsel for Defendants

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Defendants conferred with counsel for Plaintiffs via email and telephone on August 15, 2016 regarding the relief requested in this Motion. Counsel for Plaintiffs indicated that they do not oppose the relief sought in this Motion.

/s/ Angela V. Colmenero
ANGELA V. COLMENERO

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2016, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Angela V. Colmenero
ANGELA V. COLMENERO